

Decision _____



FILED

7-15-16
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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of San Diego Gas & Electric Company (U902E) for Authority to Implement Optional Pilot Program to Increase Customer Access to Solar Generated Electricity.	Application 12-01-008 (Filed January 17, 2011)
And Related Matters.	Application 12-04-020 Application 14-01-007

**INTERVENOR COMPENSATION CLAIM OF CLEAN COALITION
AND DECISION ON INTERVENOR COMPENSATION CLAIM OF CLEAN
COALITION**

NOTE: After electronically filing a PDF copy of this Intervenor Compensation Claim (Request), please email the document in an MS WORD, supporting EXCEL Timesheets, and any other supporting documents to the Intervenor Compensation Program Coordinator at Icompcoordinator@cpuc.ca.gov.

Intervenor: Clean Coalition	For contribution to Decision (D.) 16-05-006
Claimed: \$77,345	Awarded: \$
Assigned Commissioner: Michael Picker	Assigned ALJ: Michelle Cooke & Regina DeAngelis
I hereby certify that the information I have set forth in Parts I, II, and III of this Claim is true to my best knowledge, information and belief. I further certify that, in conformance with the Rules of Practice and Procedure, this Claim has been served this day upon all required persons (as set forth in the Certificate of Service attached as Attachment 1).	
Signature:	/s/ Brian Korpics
Date: 07/15/16	Printed Name: Brian Korpics

PART I: PROCEDURAL ISSUES (to be completed by Intervenor except where indicated)

A. Brief description of Decision:	The decision refines several elements of the Green Tariff Shared Renewables ("GTSR") programs of San Diego Gas & Electric Company ("SDG&E"), Pacific Gas and Electric Company ("PG&E") and Southern California Edison
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	Company (“SCE”).
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B. Intervenor must satisfy intervenor compensation requirements set forth in Pub. Util. Code §§ 1801-1812:

	Intervenor	CPUC Verified
Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):		
1. Date of Prehearing Conference (PHC):	March 10, 2014*	
2. Other specified date for NOI:		
3. Date NOI filed:	Apr. 9, 2014	
4. Was the NOI timely filed?		
Showing of customer or customer-related status (§ 1802(b)):		
5. Based on ALJ ruling issued in proceeding number:	R.10-05-006	
6. Date of ALJ ruling:	July 19, 2011	
7. Based on another CPUC determination (specify):		
8. Has the Intervenor demonstrated customer or customer-related status?		
Showing of “significant financial hardship” (§ 1802(g)):		
9. Based on ALJ ruling issued in proceeding number:	R.10-05-006	
10. Date of ALJ ruling:	July 19, 2011	
11. Based on another CPUC determination (specify):		
12. Has the Intervenor demonstrated significant financial hardship?		
Timely request for compensation (§ 1804(c)):		
13. Identify Final Decision:	D.16-05-006	
14. Date of issuance of Final Order or Decision:	May 19, 2016	
15. File date of compensation request:	July 15, 2016	
16. Was the request for compensation timely?		

C. Additional Comments on Part I (use line reference # as appropriate):

#	Intervenor’s Comment(s)	CPUC Discussion
I.B.1, 2	This proceeding consists of the three utilities’ applications regarding the GTSR program. The proceedings were consolidated by a ruling dated April 1, 2014. A scoping memo for the consolidated proceeding, dated Apr. 2,	

	<p>2014, established the NOI filing date for the consolidated proceeding. Clean Coalition timely filed an NOI for the consolidated proceeding. Thus, the Clean Coalition believes all of its work in this proceeding is compensable. Some of the work was performed in the separate applications before the consolidation occurred.</p> <p>The first application in this proceeding was A.12-01-008, filed on Jan. 17, 2012. A Dec. 5, 2012 ruling in A.12-01-008 granted the Clean Coalition's Motion to Late-File an NOI, giving a deadline of Dec. 14, 2012 in which to file the NOI. The Clean Coalition did not file an NOI in A.12-01-008 prior to the 2014 consolidation. The Clean Coalition also did not file an NOI in A.12-04-020 prior to the 2014 consolidation. A Sep. 26, 2012 Scoping Memo in A.12-04-020 established July 27, 2012 as the filing date for the NOI in that proceeding.</p>	
I.B.5, 9	<p>In R.14-07-002, the ALJ requested an amended NOI, providing additional information to substantiate Clean Coalition's customer status and showing of significant hardship. That amended NOI was filed on Mar. 19, 2015 in R.14-07-002 and copied to the intervenor compensation coordinator.</p>	

PART II: SUBSTANTIAL CONTRIBUTION (to be completed by Intervenor except where indicated)

A. Did the Intervenor substantially contribute to the final decision (see § 1802(i), § 1803(a), and D.98-04-059). (For each contribution, support with specific reference to the record.)

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
<p>1. Locational Value. The Clean Coalition urged the Commission to consider the locational value of GTSR projects. As part of the requirement of non-participating ratepayer indifference, SB 43</p>	<ul style="list-style-type: none"> • D.16-05-006 at 29–30. • <i>See also</i> D.15-01-051 at 125–126, 178. • <i>Clean Coalition's Reply Comments to Opening</i> 	

<p>requires that a GTSR ratepayer be debited or credited with all Commission approved costs and benefits. <i>See</i> Cal. Pub. Util. Code § 2831(m).</p> <p>The Clean Coalition documented a number of benefits that could be provided by small distributed generation, including: 1) Avoided Transmission Access Charges; 2) Avoided Future Transmission Increases; 3) Local Capacity Value; 4) Avoided Transmission System Impact Costs; and 5) Avoided Line Losses. We argued that accurate valuation of GTSR projects required that the above locational values be credited to GTSR projects.</p> <p>The Commission considered Clean Coalition’s recommendations and required that locational grid benefits first be authorized by a Commission proceeding—citing R.14-08-013, which the Commission designed for that purpose. R.14-08-013 was established subsequent to the Clean Coalition’s testimony addressing locational value and is informed by that testimony. The Commission ordered the utilities to propose methodologies for calculating locational grid benefits via Advice Letters 60 days after a Commission decision in R.14-08-013.</p>	<p><i>Testimony by SDG&E and PG&E</i> at 5–9 (Dec. 20, 2013).</p> <ul style="list-style-type: none"> • <i>Reply Brief of the Clean Coalition Regarding Proposals of Pacific Gas and Electric and San Diego Gas and Electric Company</i> at 3–4 (Apr. 9, 2014). • <i>Clean Coalition Rebuttal Testimony Regarding PG&E and SDG&E’s Applications to Establish GTSR Programs</i> at 1–14 (Jan. 10, 2014). • <i>Opening Brief of the Clean Coalition Regarding Southern California Edison’s Application to Establish Green Rate and Community Renewables Programs</i> at 3–13 (May 2, 2014). • <i>Clean Coalition Comments on Administrative Law Judge’s Ruling Setting Status Conference and Reopening the Record</i> at 5–7 (Dec. 18, 2014). • <i>Clean Coalition Comments on the Proposed Decision</i> at 2-8 (Jan. 20, 2015). • <i>See Clean Coalition Reply Comments on the Proposed Decision</i> at 9–10 (Jan. 26, 2015). 	
<p>2. Environmental Justice (“EJ”) The Clean Coalition advocated for the successful implementation of EJ Reservation. The Clean Coalition presented many</p>	<ul style="list-style-type: none"> • D.16-05-006 at 29-30, 41. • <i>See also</i> D.15-01-051 at 54-55. • <i>Clean Coalition’s Comments on Pacific Gas & Electric Company’s Enhanced Local</i> 	

<p>recommendations regarding the EJ Reservation, including:</p> <ul style="list-style-type: none"> • The need to ensure that procurement for the EJ reservation occurs, including prioritized procurement and smaller project sizes. • The need to ensure broad regional representation in the EJ Reservation. • Proper utilization of CalEnviroScreen to identify disadvantaged communities. <p>The Clean Coalition also participated in the ClaEnviroScreen working group, and our recommendations assisted the Commission in structuring the EJ Reservation.</p>	<p><i>Community Renewables Proposal</i> at 5–8 (Mar. 7, 2014).</p> <ul style="list-style-type: none"> • <i>Clean Coalition Reply Comments on the Proposed Decision</i> at 9 (Jan. 26, 2015). • <i>Clean Coalition Rebuttal Testimony Regarding PG&E and SDG&E’s Applications to Establish GTSR Programs</i> at 14–15 (Jan. 10, 2014). • <i>Reply Brief of the Clean Coalition Regarding Proposals of PG&E and SDG&E</i> at 5 (Apr. 9, 2014). • <i>Clean Coalition Comments on the Proposed Decision</i> at 10–14 (Jan. 20, 2015). • <i>Clean Coalition Reply Comments on the Green Tariff Shared Renewables Program Phase IV Track A Issues</i> at 3–5 (Aug. 28, 2015). 	
<p>3. Diverse Projects. The Clean Coalition argued that the GTSR program should include flexibility for different business models and project sizes. The Clean Coalition presented evidence for why sub-500 kW projects would be beneficial to the program. The Commission ultimately adopted the Clean Coalition’s recommendation to allow sub-500 kW projects to participate in the program, pending CAISO resolving issues surrounding market participation within the Distributed Energy Resource Provider proceeding.</p>	<ul style="list-style-type: none"> • D.16-05-006 at 18. • <i>See also</i> D.15-01-051 at 36-37, 55–56. • <i>Clean Coalition’s Comments on Pacific Gas & Electric Company’s Enhanced Local Community Renewables Proposal</i> at 4–7 (Mar. 7, 2014). • <i>Clean Coalition Opening Comments on the Green Tariff Shared Renewables Program Phase IV Track B Issues</i> at 2–3 (Nov. 9, 2015). • <i>Clean Coalition Reply Comments on the Green Tariff Shared Renewables Program Phase IV Track B Issues</i> at 2–4 (Dec. 9, 2015). • Consideration of sub-500kW projects, Clean Coalition presentation at GTSR Phase IV Track B Workshop (Jan. 5, 	

	<p>2016).</p> <ul style="list-style-type: none"> • <i>Clean Coalition Opening Comments on Proposed Decision Addressing Participation of Enhanced Community Renewables Projects in the Renewable Auction Mechanism and Other Refinements to the Green Tariff Shared Renewables Program</i> at 2–5 (May 2, 2016). • <i>Reply Comments of CEJA, Clean Coalition, and SELC on the Proposed Decision of Administrative Law Judge Michelle Cooke</i> at 4 (May 9, 2016). 	
<p>4. Community Proximity. The Clean Coalition presented and advocated for rules that enforced the SB 43 mandate that projects be located in reasonable proximity to subscribers. Regarding the Enhanced Community Renewables component, Clean Coalition presented rules and procedures that implemented SB 43’s requirement that projects be tied to a community. The Clean Coalition substantially contributed to the Commission’s formation of rules regarding community interest.</p>	<ul style="list-style-type: none"> • D.16-05-006 at 15, 36. • D.15-01-051, pp. 34–36, 67–69. • <i>Clean Coalition Rebuttal Testimony Regarding PG&E and SDG&E’s Applications to Establish GTSR Programs</i> at 1–14 (Jan. 10, 2014). • <i>Clean Coalition’s Comments on Pacific Gas & Electric Company’s Enhanced Local Community Renewables Proposal</i> at 8–9 (Mar. 7, 2014). • <i>Clean Coalition Comments on the Proposed Decision</i> at 9–10 (Jan. 20, 2015). • <i>Clean Coalition Reply Comments on the Proposed Decision</i> at 7–8 (Jan. 26, 2015). 	

B. Duplication of Effort (§ 1801.3(f) and § 1802.5):

	Intervenor's Assertion	CPUC Discussion
a. Was the Office of Ratepayer Advocates (ORA) a party to the proceeding?¹	Yes	
b. Were there other parties to the proceeding with positions similar to yours?	Yes	
c. If so, provide name of other parties: Vote Solar, California Solar Energy Industries Association, the Solar Energy Industries Association, the Interstate Renewable Energy Council, California Environmental Justice Alliance ("CEJA"), Sustainable Economies Law Center ("SELC").		
d. Intervenor's claim of non-duplication: The parties cited above also supported the recognition of various benefits, similar to locational value, as part of the credits of a GTSR program. However, the locational values identified by Clean Coalition and by these parties were dissimilar. The methodology proposed by Clean Coalition to evaluate locational grid benefits are also different from the above parties, including general ratepayer and participant economic impact of energy delivery factors not raised by other parties. CEJA and SELC supported robust procurement for the EJ Reservation and proper implementation of CalEnviroScreen, similarly to the Clean Coalition. However, the perspectives of these parties were different. CEJA and SELC approached the issue as representatives of disadvantaged communities. The Clean Coalition approached the issue of EJ procurement and GTSR procurement in general from the perspective of experts in the development of small, distributed generation policy. The Clean Coalition provided information regarding what is necessary to create a viable market for small, distributed generation projects, and how eligibility and siting considerations could benefit disadvantaged communities within each service territory. The Clean Coalition leveraged this same unique expertise in proposing rules governing community proximity. Finally, the Clean Coalition was the main advocate for extending eligibility to sub-500 kW projects—presenting to the Commission academic research and the results of Clean Coalition solar siting surveys.		

¹ The Division of Ratepayer Advocates was renamed the Office of Ratepayer Advocates effective September 26, 2013, pursuant to Senate Bill No. 96 (Budget Act of 2013: public resources), which was approved by the Governor on September 26, 2013.

C. Additional Comments on Part II (use line reference # or letter as appropriate):

#	Intervenor's Comment	CPUC Discussion
A.2.	Regarding our claimed contribution to the EJ component of the program, the Clean Coalition previously received compensation for 11.65 hours of time dedicated to one EJ aspect of the program. The Commission determined that the Clean Coalition substantially contributed to the determination of the appropriate method for selecting census tracts for purposes of the Environmental Justice Reservation. D.15-11-016 at 11. These hours are not included in this request.	

PART III: REASONABLENESS OF REQUESTED COMPENSATION (to be completed by Intervenor except where indicated)

A. General Claim of Reasonableness (§ 1801 and § 1806):

a. Intervenor's claim of cost reasonableness:	CPUC Discussion
<p>The Clean Coalition contributed to D.16-05-006 by providing information and expertise derived from our leading role in small, distributed generation valuation, procurement, and development policy. We provided information about how to successfully procure the small distributed projects, which the GTSR program may rely upon in fulfilling the requirements to locate generation in reasonable proximity to program participants, coordination with the forthcoming Distribution Resource Planning, avoiding transmission related costs, and in meeting the Enhanced Community Renewables and Environmental Justice procurement components.</p> <p>Our contributions will lead to a more accurate valuation of GTSR projects, such that GTSR subscribers will have a more affordable rate. Thus, our contribution will lead to significant cost savings for thousands of GTSR subscribers.</p> <p>In addition, our testimony identified avoidable cost impacts associated with use of transmission capacity that impact all ratepayers. As noted, new transmission capacity has an average cost of \$1 Million per MW, and</p>	

<p>reducing future capacity requirements by a single MW represents a ratepayer value more than ten times greater than our total requested compensation.</p> <p>Our contributions will also contribute to successful procurement of projects for the GTSR program. The Commission and the utilities are charged with implementing GTSR programs, and they cannot be successfully implemented without adequate procurement.</p>	
<p>b. Reasonableness of hours claimed:</p> <p>The Clean Coalition contributed to D.16-05-006 in through our expertise in locational value and solar siting surveys, which formed the largest part of our contributions. The hours we claim for work in this proceeding represent a great deal of technical expertise. Although we have spent a significant amount of time developing this expertise regarding locational value and solar siting analyses, only those staff hours spent specifically developing the recommendations for this proceeding are part of this compensation request.</p> <p>Director of Economics and Policy Analysis Kenneth Sahm White provided most of the staff hours regarding locational value. He also drafted the testimony in the proceeding. This testimony was not disputed, although Mr. White was required to appear for cross-examination.</p> <p>Former Policy Directors Stephanie Wang and Enrique Gallardo drafted comments and briefs in the earlier stages of this proceeding.</p> <p>Policy Director Brian Korpics prepared comments, presented at a workshop, and prepared the intervenor compensation claim. Mr. Korpics has three years of experience working on energy issues. As part of this claim, Mr. Korpics is requesting a new rate of \$220 for his work performed in 2016, which is the lowest rate for an attorney with his three years of experience. Prior to being admitted to the California Bar, Mr. Korpics worked on energy issues in Washington, D.C., with the Environmental Law Institute and in Boulder, Colorado, with the Environmental Defense Fund. Mr. Korpics's resume is attached.</p> <p>Katie Ramsey prepared comments in this proceeding. Ms. Ramsey is submitting a first time rate request of \$235, which is in the middle of the range for an attorney with Ms. Ramsey's four years of experience. Ms. Ramsey graduated from George Washington University Law School in 2011. Prior to being admitted to the California Bar, Ms. Ramsey worked on energy issues for four years with the Department of Energy, the U.S. Bureau of Ocean Energy Management, Renewable Energy Programs, and in the private sector. Ms. Ramsey's resume is attached.</p>	

c. Allocation of hours by issue:

The request for compensation is divided into four issues: 1) Locational Value; 2) Environmental Justice; 3) Diverse Projects; and 4) Community Proximity. The attached spreadsheet contains a detailed breakdown of the staff hours spent on each issue.

B. Specific Claim:*

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
Kenneth Sahm White	2013	2.5	\$285	D.15-10-044	\$712.5			
Kenneth Sahm White	2014	33	\$295	D.15-10-044	\$9,735			
Kenneth Sahm White	2015	25.75	\$295	D.15-10-044	\$7,596.25			
Kenneth Sahm White	2016	10.75	\$300	D.16-05-049	\$3,225			
Stephanie Wang	2013	12.25	\$305	D.15-10-044	\$3,736.25			
Stephanie Wang	2014	42.5	\$315	D.15-10-044	\$13,387.5			
Enrique Gallardo	2014	9.25	\$400	D.14-12-068	\$3,700			
Enrique Gallardo	2015	24.5	\$400	D.14-12-068	\$9,800			
Katie Ramsey	2016	13	\$235	ALJ-329	\$3,055			
Brian Korpics	2015	85	\$165	D.15-10-007	\$14,025			
Brian Korpics	2016	30	\$220	ALJ-329	\$6,600			
Subtotal: \$75,572.5						Subtotal: \$		
OTHER FEES								
Describe here what OTHER HOURLY FEES you are Claiming (paralegal, travel **, etc.):								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate	Total \$
Subtotal: \$						Subtotal: \$		
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate	Total \$
Brian Korpics	2016	14.75	\$110	½ full rate	\$1,622.5			

K. Sahn White	2016	1	\$150	½ full rate	\$150			
Subtotal: \$1,772.5						Subtotal: \$		
COSTS								
#	Item	Detail			Amount	Amount		
TOTAL REQUEST: \$77,345						TOTAL AWARD: \$		
<p>**We remind all intervenors that Commission staff may audit their records related to the award and that intervenors must make and retain adequate accounting and other documentation to support all claims for intervenor compensation. Intervenors' records should identify specific issues for which it seeks compensation, the actual time spent by each employee or consultant, the applicable hourly rates, fees paid to consultants and any other costs for which compensation was claimed. The records pertaining to an award of compensation shall be retained for at least three years from the date of the final decision making the award.</p> <p>**Travel and Reasonable Claim preparation time typically compensated at ½ of preparer's normal hourly rate</p>								
ATTORNEY INFORMATION								
Attorney		Date Admitted to CA BAR ²		Member Number		Actions Affecting Eligibility (Yes/No?) If "Yes", attach explanation		
Enrique Gallardo		December 1997		191670		No		
Stephanie Wang		September 29, 2008		257437		No		
Brian Korpics		June 2, 2015		303480		No		
Katie Ramsey		February 11, 2015		302532		No		

C. Attachments Documenting Specific Claim and Comments on Part III (Intervenor completes; attachments not attached to final Decision):

Attachment or Comment #	Description/Comment
1	Certificate of Service
2	Clean Coalition Time Records
3	Clean Coalition Resumes

D. CPUC Disallowances and Adjustments (CPUC completes):

Item	Reason

² This information may be obtained through the State Bar of California's website at <http://members.calbar.ca.gov/fal/MemberSearch/QuickSearch>.

PART IV: OPPOSITIONS AND COMMENTS

Within 30 days after service of this Claim, Commission Staff
or any other party may file a response to the Claim (*see* § 1804(c))

(CPUC completes the remainder of this form)

A. Opposition: Did any party oppose the Claim?	
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If so:

Party	Reason for Opposition	CPUC Discussion

B. Comment Period: Was the 30-day comment period waived (<i>see</i> Rule 14.6(c)(6))?	
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If not:

Party	Comment	CPUC Discussion

FINDINGS OF FACT

1. Intervenor [has/has not] made a substantial contribution to D._____.
2. The requested hourly rates for Intervenor's representatives [,as adjusted herein,] are comparable to market rates paid to experts and advocates having comparable training and experience and offering similar services.
3. The claimed costs and expenses [,as adjusted herein,] are reasonable and commensurate with the work performed.
4. The total of reasonable compensation is \$_____.

CONCLUSION OF LAW

1. The Claim, with any adjustment set forth above, [satisfies/fails to satisfy] all requirements of Pub. Util. Code §§ 1801-1812.

ORDER

1. Intervenor is awarded \$_____.
2. Within 30 days of the effective date of this decision, _____ shall pay Intervenor the total award. [for multiple utilities: “Within 30 days of the effective date of this decision, ^, ^, and ^ shall pay Intervenor their respective shares of the award, based on their California-jurisdictional [industry type, for example, electric] revenues for the ^ calendar year, to reflect the year in which the proceeding was primarily litigated.”] Payment of the award shall include compound interest at the rate earned on prime, three-month non-financial commercial paper as reported in Federal Reserve Statistical Release H.15, beginning [date], the 75th day after the filing of Intervenor’s request, and continuing until full payment is made.
3. The comment period for today’s decision [is/is not] waived.
4. This decision is effective today.

Dated _____, at San Francisco, California.